

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

LAUREE JANKOWSKI,

Plaintiff,

vs.

NEBRASKA DEPARTMENT OF
CORRECTIONAL SERVICES,
Defendant.

4:23CV3168

MEMORANDUM AND ORDER

The Court entered a Memorandum and Order on October 13, 2023 directing Plaintiff to either file a request for leave to proceed in forma pauperis or pay the Court's \$402.00 filing and administrative fees because she had been released from custody. [Filing No. 7](#). After the Court's Memorandum and Order was entered, the Court received and docketed Plaintiff's Motion for Leave to Proceed in Forma Pauperis ("IFP"). [Filing No. 8](#). Upon review of Plaintiff's motion, it is evident Plaintiff completed her motion while she was still incarcerated as it includes financial information relevant to her incarcerated status.

As the Court stated previously, because Plaintiff is no longer incarcerated, she cannot rely on an IFP affidavit filed when she was incarcerated. Rather, Plaintiff must file a new application for leave to proceed IFP¹ based on her current financial information relevant to her nonprisoner status if she wishes to pursue this case in forma pauperis. Plaintiff may, in the alternative, pay the Court's \$402.00 filing and administrative fees.

¹ The Form AO 240, "Application to Proceed Without Prepayment of Fees and Affidavit," was sent to Plaintiff with the Court's October 13, 2023 Memorandum and Order. [Filing No. 7](#).

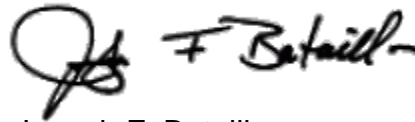
IT IS THEREFORE ORDERED that:

1. Plaintiff's Motion for Leave to Proceed IFP, [Filing No. 8](#), is denied without prejudice to reassertion of an IFP motion that reflects Plaintiff's current financial information relevant to her nonprisoner status.

2. Plaintiff must either file a request for leave to proceed in forma pauperis or pay the Court's \$402.00 filing and administrative fees by **November 13, 2023**, as stated in the Court's October 13, 2023 Memorandum and Order, [Filing No. 7](#). Failure to take either action will result in dismissal of this matter without further notice to Plaintiff.

Dated this 17th day of October, 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon", with a stylized flourish at the end.

Joseph F. Bataillon
Senior United States District Judge